

RESOLUTIONS OF THE BOSTON REDEVELOPMENT AUTHORITY
REGARDING THE DEVELOPMENT PLAN AND DEVELOPMENT
IMPACT PROJECT PLAN FOR PLANNED DEVELOPMENT
AREA NO. 37, PRUDENTIAL CENTER REDEVELOPMENT

1. THE ONGOING BRA APPROVAL PROCESS

WHEREAS, The Prudential Insurance Company of America, a New Jersey corporation (the "Applicant") filed an application dated November 27, 1989 (the "Application") seeking from the Boston Redevelopment Authority (the "BRA" or "Authority") and the Boston Zoning Commission (the "Commission") approval of a development plan (the "Development Plan") and a development impact project plan (the "Development Impact Project Plan") for a planned development area ("PDA") to be designated in the area bounded by Boylston Street on the north, Exeter Street on the east, Huntington Avenue on the south, and Belvidere Street and Dalton Street on the west, excluding the properties within those boundaries which are owned by the Massachusetts Convention Center Authority and the Lenox Hotel (the "Site") in connection with a proposed redevelopment of the Prudential Center (together, the "PDA/DIP Plan"). The proposed planned development area is located within the area described as the Huntington Avenue/Prudential Center District in proposed Article 41 of the Boston Zoning Code ("Article 41"), which was considered by the BRA at a public hearing held on December 14, 1989, in accordance with a notice of that hearing published in the Boston Herald on December 1, 1989. Proposed Article 41 is available to the public in the offices of the BRA. Concurrent with, but immediately prior to, the action that the Board is now taking on the Application, the Board has authorized the Director to petition the Zoning Commission for the adoption of Proposed Article 41. It is contemplated that any approval of a PDA for the Site by the Zoning Commission would be conditioned on the effectiveness of said Article 41 so that the provisions of said Article 41 shall govern such PDA and its establishment.

Section 41-11 of Article 41 describes an area within the Huntington Avenue/Prudential Center District in which PDA's may be established and this area includes the Site. In order to establish a PDA, an applicant must submit a development plan in accordance with Section 3-1A.a of the Code. Pursuant to Section 3-1A.a, a development plan must "set forth the proposed location and appearance of structures, open spaces and landscaping, proposed uses of the area, densities, proposed traffic circulation, parking and loading facilities, access to public transportation, [and] proposed dimensions of structures...".

Similarly, Sections 26A-3 and 26B-3 of the Code establish requirements for a development impact project, and Section 26A-3 requires that a development impact project plan contain the same information as a development plan. In addition, a development impact project plan must set forth the projected number of employees.

The approval of the PDA/DIP Plan by the BRA will allow the Applicant to continue the development review process for the entire project in accordance with the PDA/DIP Plan. If the BRA determines that the PDA/DIP Plan includes the elements required by Section 3-1A, that it "conforms to the general plan for the city as a whole and that nothing in such plan will be injurious to the neighborhood or otherwise detrimental to the public welfare", and that it also meets the PDA Criteria (as hereinafter defined), the BRA may, after public hearing, approve the PDA/DIP Plan. Section 26A-3 of the Code similarly provides that no Development Impact Project Plan may be approved by the BRA without making the same determinations (in addition to the PDA Criteria).

Section 41-13 of Article 41 sets forth further criteria for a development plan relating to a proposed PDA within the Huntington Avenue/Prudential Center District and require the BRA to make the following additional findings: that the development plan is in conformity with the provisions of Sections 41-13, 41-14 and 41-16 of Article 41; that the development conforms to the Huntington Avenue/Prudential Center District Plan and the general plan for the city as a whole; that each Proposed Project described in the Development Plan is in Substantial Accord with the building height and FAR standards set forth in Section 41-12 and all other applicable provisions of Article 41; and that, on balance, nothing in the Development Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens including without limitation the factors identified in Sections 41-14 and 41-16; (collectively, the "PDA Criteria").

As noted above, after the PDA/DIP Plan is approved, the BRA development review process will continue for all phases of the project. In addition, in order to obtain a building permit, all final plans and specifications must be submitted to the BRA for a determination that they are consistent with the PDA/DIP Plan. If the final plans and specifications are not consistent with the PDA/DIP Plan, they cannot be approved unless the PDA/DIP Plan is amended, after public notice and hearing.

2. THE PRESENT SITE IS OBSOLETE AND UNDERUTILIZED

WHEREAS, the Site contains 24.8 acres of land and is described in the PDA/DIP Plan.

The Site currently contains approximately 4.3 million square feet of space consisting of office, retail, hotel, residential apartment and parking uses. Over the years, a number of the original features of the Prudential Center have proven to be problems, which the PDA/DIP Plan seeks to remedy. These problems include:

- ° a lack of continuity with surrounding development, and the absence of street level activity along Huntington Avenue and Boylston Street.
- ° poorly defined entrances and stairways, poor connections to Copley Place, and difficult handicapped access.
- ° high winds in pedestrian plazas, the absence of sunlight in the North Plaza, and unheated pedestrian passageways.
- ° poor differentiation between public circulation routes and leased spaces such as in the lobbies of office structures where main pedestrian ways pass through elevator lobbies.
- ° large areas of unusable outdoor space, frequently cut up by roadways or level transitions, and often located in places that are unlikely to be used.
- ° a retail layout which is one-sided and not sufficiently concentrated to support effective retailing.
- ° undersized community retailing areas, such as the current supermarket.
- ° underuse of the site, particularly on its perimeter.
- ° poor relationships of built forms to their surroundings, such as the absence of buildings framing the east end of the Christian Science Plaza and the lack of definition of street walls along Boylston Street and Huntington Avenue.

The BRA finds that if the PDA/DIP Plan is not approved, the Site will continue as an obsolete and underutilized area; that the existing structures and the Site's uses will remain essentially unchanged; and that the potential benefits from the Site will not be fully realized.

3. THE APPLICANT'S PDA/DIP PLAN

WHEREAS, the Applicant's PDA/DIP Plan dated January 18, 1990 consists of 23 pages of text plus attachments designated Exhibits A through F. In addition, the Applicant has submitted proposed forms of a Development Impact Project Agreement, and a Cooperation Agreement (collectively, the "BRA Agreements"). After reviewing these forms of agreement, the BRA is satisfied that the BRA Agreements substantially in the form submitted will ensure compliance with the PDA/DIP Plan and the provision of the public benefits and mitigation measures referred to therein and, with such changes as the Director of the BRA may deem advisable, will authorize the Director to execute the BRA Agreements in a timely manner.

The BRA finds that the Applicant's PDA/DIP Plan adequately sets forth the required elements for a development plan and for a development impact project plan pursuant to Sections 3-1A and 26A-3 and Article 41, including the proposed location and appearance of structures, open spaces and landscaping, proposed uses of the Site and structures, projected number of employees, proposed densities, proposed traffic circulation, parking and loading facilities, access to public transportation and proposed dimensions of structures.

4. THE PROJECT

WHEREAS, as described in the PDA/DIP Plan, a total of 1,834,000 net new square feet will be added to the Site and 143,000 square feet of existing retail space will be demolished and reconstructed. The net new square feet include new office space, retail and community service space, housing units and enclosed public space. New community service space will include two child care centers, a chapel and space for the Greater Boston Convention and Visitors Bureau. The new retail space will include a neighborhood shopping center, containing an enlarged supermarket and other shops intended to serve residents of the surrounding neighborhood. The parking garage will remain and approximately 800 new parking spaces will be added. The Project will be developed in five (5) phases, as described in the PDA/DIP Plan proceeding generally from the south side of the Site to the north side of the Site.

The BRA finds that, from a design standpoint, the Project, as described in the PDA/DIP Plan, is consistent with the Huntington Avenue/Prudential Center District Plan, with the Boylston Street Guidelines, and with the guidelines prepared by the Prudential Project Advisory Committee ("PrUPAC Guidelines"), that massing, setbacks and materials are coordinated to relate to the existing context on the Site and in the surrounding neighborhoods, and that the buildings in the Project will have heights and gross floor areas not in excess of those permitted in Article 41. The BRA also finds that the Project will permit better utilization of the Site.

5. THE PUBLIC REVIEW PROCESS AND EVOLUTION OF THE PROJECT

WHEREAS, in 1986 a community review committee, the Prudential Project Advisory Committee ("PruPAC"), was established to advise on the critical planning issues regarding development of the Prudential Center. PruPAC held over 300 meetings in connection with its planning and review tasks and generated development guidelines ("PruPAC Guidelines") concerning the desired development path of the Project. The degree of citizen involvement through PruPAC and the public review process has been unprecedented in the city.

As part of the public review process, an Environmental Notification Form dated June 29, 1988 and a Draft Environmental Impact Report dated April 12, 1989 were filed with the Massachusetts Executive Office of Environmental Affairs ("EOEA"). In addition, the Applicant submitted to the BRA a Project Notification Form dated June 15, 1988 and, in accordance with the scoping determination issued by the BRA under Article 31 of the Code, a Draft Project Impact Report dated April 12, 1989. A Final Project/Environmental Impact Report dated November 13, 1989 was filed with the EOEA and with the BRA.

The BRA finds that, as a result of the process of citizen involvement and public review which has continued for over three years, and which produced the PruPAC Guidelines, broad agreement on the urban design objectives for the Project was reached relative to design aesthetics, community concerns, environmental impacts and scale. The BRA further finds that, out of this public review through the diligent and good faith efforts of PruPAC, the Applicant, and other concerned parties, a substantially better Project has evolved.

6. THE "GENERAL PLAN FOR THE CITY AS A WHOLE" AND THE HUNTINGTON AVENUE/PRUDENTIAL CENTER DISTRICT

WHEREAS, pursuant to Section 41-13, in approving a development plan or a development impact project plan, the BRA must find "that such plan conforms to the general plan for the City as a whole" No specific "general plan" is referred to in Section 3-1A or 26A-3 or elsewhere in the Code, but Section 41-2 recognizes the Huntington Avenue/Prudential Center District Plan, as amended from time to time, as the general plan for the Huntington Avenue/Prudential Center District and as the portion of the general plan for the City of Boston applicable to the Huntington Avenue/Prudential Center District.

On March 11, 1965, the BRA adopted as the official master plan of the City for the next decade the "1965/1975 General Plan for the City of Boston and the Regional Core" (the "1965-1975 Plan"). In the intervening 22 years, no other

formal City-wide plan has been adopted, although other plans and studies have been conducted, including the BRA study entitled "Planning for Boston's Next Decade of Development 1980-90." Neither the 1965-1975 Plan, nor any other single document frozen in time, has constituted "the general plan for the city as a whole." Rather, "the general plan for the City as a whole" has been a continually evolving concept, evidenced by development precedents, planning studies, and zoning ordinances.

The 1965-1975 Plan describes the City of Boston as including a Regional Core made up of a series of subcenters located along a linear spine generally running east to west. These subcenters are identified in the 1965-1975 Plan as North Station, the Waterfront, Government Center, Summer-Winter-Washington Streets, Park Square Copley Square, Prudential Center, Symphony Hall, and Kenmore Square. The Plan envisions communication and connection between the Regional Core's separate subcenters to enable the subcenters to expand and modernize functionally as necessary. Geographically, the 1965-1975 Plan defined the "Regional Core" as that part of the City which includes primarily the Boston peninsula and the central business district, plus various fringe areas, such as the Fort Point Channel area.

In determining "the general plan", it is the BRA's administrative practice to look to the 1965-1975 Plan and subsequent studies and actions relating to the particular part of the City under consideration. In this way, the BRA can determine if a particular project is in accordance with long-range planning and furthers the BRA's view as to future development of the City.

With regard to the Project Site and the Huntington Avenue/Prudential Center District, the "general plan for the city as a whole" includes applicable portions of the 1965-1975 Plan and subsequent plans and studies, including a BRA study entitled "Planning for Boston's Next Decade of Development 1980-90", numerous BRA studies regarding Boston's future commercial needs, and recently adopted and proposed Code amendments which relate to the Boylston Street area and the Huntington Avenue/Prudential Center District.

The Huntington Avenue/Prudential Center District Plan includes the provisions of Article 41 of the Code. Section 41-1 sets forth the goals and objectives of the Huntington Avenue/Prudential Center District as follows: to preserve the historic and architectural character of the historic residential neighborhoods included in the district; to realize the potential of Huntington Avenue as an important city boulevard and as a transitional boundary between the large-scale Prudential Center and the historic St. Botolph Street and South End neighborhoods; to encourage the

large-scale private redevelopment of the Prudential Center; to integrate more effectively the Prudential Center with adjacent districts; to promote development that emphasizes a sense of human scale through appropriate block and building sizes and shapes, modulated and detailed facades and storefronts, and articulated entryways; to increase pedestrian activity along the streets surrounding the Prudential Center by promoting streetscape improvements, requiring active ground-level uses, and permitting the creation of a mixed-used economy, including office, retail, commercial and residential uses; and to promote the public welfare of the people of Boston. This statement of goals is, in turn, based on the studies of the area conducted in connection with the enactment of Article 27D establishing an Interim Planning Overlay District for the downtown area, as well as further studies conducted in connection with preparation of the proposed text of Article 41.

Based on its review of the applicable development precedents, planning studies, and zoning ordinances, including proposed Article 41, the BRA hereby finds that the Project, as described in the PDA/DIP Plan, conforms to the Huntington Avenue/Prudential Center District Plan, including the specified goals and purposes articulated in Section 41-1, and to the general plan for the City as a whole.

The BRA finds that by redeveloping an obsolete and significantly underutilized portion of the Site to create a revitalized mixed-use Prudential Center, the Project will help reconnect the Site to its surroundings, promote the active pedestrian use of the major streets adjoining the Project and create buildings, spaces and an environment which are interesting and diverse. Further, the BRA finds that the Project will provide significant community benefits, as detailed below. By stimulating growth, the Project will also create a complex with facilities and services which will promote economic growth in Boston and throughout the region. In its careful design and sensitivity to the neighboring areas and the creation of through pedestrian urban arcades, the Project will also create a transition of uses and character between the Back Bay, South End, Fenway and other adjacent neighborhoods. The Site is ideally situated for both local and regional public transit access with its proximity to the Back Bay Station and the Prudential Station on the Green Line. In addition, the Site has good access to local bus routes which connect the Back Bay area with the other city neighborhoods.

The BRA finds that by using materials and designs which are harmonious with the surrounding neighborhood and with traditional Boston design concepts, the Project will strengthen the Huntington Avenue/Prudential Center District without compromising the historic and architectural integrity of the area.

The BRA further finds that the PDA/DIP Plan furthers the goals set forth in Section 41-1 of the Code and proposes a plan for development in the PDA/DIP Plan consistent with the Huntington Avenue/Prudential Center District Plan and the general plan for the city as a whole.

7. THE PROJECT SATISFIES THE PDA CRITERIA

WHEREAS, in order to approve the PDA/DIP Plan, the BRA must find that the Plan satisfies the PDA Criteria set forth in Sections 41-13 and summarized in Finding No. 1 above. The BRA hereby finds that the PDA/DIP Plan satisfies the PDA Criteria, as more fully hereinafter set forth.

First, the PDA/DIP Plan is in conformity with the provisions of Sections 41-13, 41-14, and 41-16 of Article 41. Section 41-13 sets forth the PDA Criteria. Based on the matters reviewed in this Finding No. 7, the BRA is concluding that the PDA Criteria are satisfied. Section 41-14 requires that the development plan propose a plan for public benefits including, at a minimum, the creation, rehabilitation, or preservation of affordable housing and the provision of substantial street improvements, both as more particularly described in said Section 41-14. As more fully discussed in Finding No. 8, below, the PDA/DIP Plan incorporates a public benefits plan that satisfies such minimum requirements and provides for substantial additional community benefits. Section 41-16 requires that any Proposed Project submitted as part of an application for Development Plan approval, comply with the general design and environmental impact standards described in said section. These general design and environmental criteria impact standards pertain to shadows, wind, transportation access, landmarks and historic buildings, enhancement of pedestrian environment, and compliance with Article 28 regarding Boston Civic Design Commission. Based on its review of the Final Project Impact Report ("FPIR") for the Project, submitted by the Applicant to the BRA on November 14, 1989 and of the requirements of the Cooperation Agreement proposed by the Applicant in connection with the Application, the BRA finds that the Project, as described in the PDA/DIP Plan, will comply with the general design and environmental impact standards set forth in Section 41-16.

Second, as discussed in Finding No. 6, above, the PDA/DIP Plan is consistent with the Huntington Avenue/Prudential Center District Plan and the general plan for the city as a whole.

Third, each Proposed Project described in the development plan must be in substantial accord with the building height and FAR standards set forth in Section 41-12 and other applicable provisions of Article 41. In the area of the Huntington Avenue/Prudential Center District in which the Site is located,

a project within a PDA is permitted a maximum FAR of 6 and a maximum building height of 155 feet except that one building is permitted a maximum building height of 465 feet. The Project proposed in the PDA/DIP Plan includes one building which is approximately 465 feet in height and other buildings which do not exceed 155 feet in height with an FAR which will not exceed 6. Accordingly, the BRA finds that the Project is in substantial accord with the standards for building height and FAR for projects within a PDA set forth in Section 41-12 of the Code. Further, based on a review of the PDA/DIP Plan and of the applicable provisions of Article 41, the Board hereby finds that the PDA/DIP Plan is in substantial accord with such applicable provisions.

Fourth, as is separately discussed in Finding No. 8, below, nothing in the PDA/DIP Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens.

Accordingly, the BRA finds that the PDA/DIP Plan satisfies each of the PDA Criteria.

8. THE PROJECT WILL NOT BE "INJURIOUS TO THE NEIGHBORHOOD OR OTHERWISE DETRIMENTAL TO THE PUBLIC WELFARE"

WHEREAS, in order to approve the PDA/DIP Plan, the BRA must find that "on balance, nothing in such plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens" This standard, as set forth in Section 41-13 of the Code, elaborates upon the standard set forth in Section 3-1A (that "nothing in [a proposed Planned Development Area plan] will be injurious to the neighborhood or otherwise detrimental to the public welfare") by incorporating the balancing approach required by the Supreme Judicial Court in Manning v. Boston Redevelopment Authority, 400 Mass. 444 (1987). As the court noted, the planned development area provisions of the Code were intended to "establish a more flexible zoning law" in order to encourage well-planned and thoroughly reviewed large scale private development projects on underutilized sites. These provisions contemplate a balancing of relative benefits and burdens, acknowledging that such large-scale development projects inevitably cause some burdens, but realizing that in a well conceived and well-designed project such burdens are outweighed by public benefits generated by the project.

Based upon its consistent administrative practice for nearly two decades, as well as upon the mandate of Manning, the BRA will balance a proposed plan's possible adverse effects and other matters claimed to be detrimental to the public welfare against the benefits to the neighborhood, the City, and the public. It will approve only those which "on balance, are not

injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens."

In the case of this Project, an extraordinary public review process extending over four (4) years has resulted in a development plan with broad public support that maximizes public benefits while minimizing and mitigating adverse development impacts. The PDA/DIP reflects a substantial reduction in density to 1.8 million square feet from the 3.4 million square feet originally proposed. Numerous design changes to minimize development impacts have resulted from the active and effective participation of PruPAC in advising the BRA in development review. Among other things, the housing structure on Belvidere Street was reduced from 13 stories to 11 stories in order to conform to the existing streetscape and increase available sunlight to open spaces; the Huntington Avenue office tower was set back 80 feet from the property line and curb and its form sculpted so that visually it appears to be even further back from this street; pedestrian passageways have been designed to be street-like in character to provide an inviting access between adjacent districts of the city; and a series of indoor and outdoor public open spaces have been designed to encourage activities of users and residents of the Site. Each of these examples demonstrates a significant amount of mitigation included in the current Project design, which has resulted in a project with limited potential for negative impacts.

The Project does, however, provide numerous beneficial impacts. Set forth below are some of the benefits which will inure to the public as a result of the Project.

The Project's Benefits

A. Employment Plan

The Project is expected to generate an estimated 2,200 construction worker years of labor and to add an estimated 5,600 permanent jobs to the Prudential Center Site, which currently has approximately 10,000 employees in the complex. The Applicant anticipates that many new jobs will be created by new businesses, expansion of existing businesses and new tenants coming into the City. An aggressive program of recruiting Boston residents, minorities and women for both construction and permanent jobs will ensure that benefits flow to those most in need of employment.

B. Fiscal Benefits

Over the next 10 years, taxes received by the City of Boston are anticipated to increase by \$93 million, or an average of \$9.3 million per year, as a result of the project.

Municipal service costs for Prudential Center are expected to increase by only \$0.8 million per year when the project is complete and occupied.

C. Traffic and Transportation Improvements

The Applicant, Boston Transportation Department and the BRA have agreed upon a comprehensive program of transportation improvements to be funded by the Applicant which will benefit more broadly the Back Bay area and surrounding neighborhoods.

The Applicant will take the lead in creating and assuring the funding for a Back Bay Transportation Management Organization. A Prudential Center Transportation Coordinator has been appointed to initiate demand reduction programs and coordinate all transportation activities for the Prudential Center site.

Pedestrian crossings will be improved on Huntington Avenue, Boylston Street, East Ring Road and Belvidere Street. Construction of the project will result in improved access to the Prudential Green Line transit station.

D. Streetscape and Open Space Improvements

As described in the PDA/DIP Plan, the Project will include new sidewalks, street trees and street furniture on the north side of Huntington Avenue, south side of Boylston Street, east side of Belvidere Street, and west side of Exeter Street. As well, the entire right-of-way along East Ring Road will be improved for pedestrians and drivers.

E. Infrastructure Improvements

Major improvements will be made, at the Applicant's cost, to the Boston Water and Sewer Commission distribution network in the area of the site, including a new 24 inch sewer line along Huntington Avenue which will permit the abandonment of the sewer syphon system that currently passes under the Prudential Center and Massachusetts Turnpike. Water lines will be looped in the area of the site. On site, the Applicant will take significant measures to conserve electrical energy and reduce steam consumption, and to encourage the recycling of solid wastes.

F. Development Impact Project Contribution

1. As required under Section 26A-3 of the Boston Zoning Code, the Applicant will enter into a DIP Agreement and will be responsible for making a Development Impact Project Contribution (the "DIP Contribution") with regard to the

Project. The DIP Contribution shall be made, at the Applicant's option, by: (i) the grant and payment by the Developer of a sum of money payable at the times and in the manner and under the conditions specified in the DIP Agreement (referred to in said Section 26A-3 as the "Housing Contribution Grant"), (ii) the creation by the Developer of low and moderate income housing units at a cost at least equal to the amount of the Housing Contribution Grant and under the conditions specified in the DIP agreement (referred to in said Section 26A-3 as the "Housing Creation Option"), or (iii) a combination of items (i) and (ii) above. Subject to approval of the Neighborhood Housing Trust and the BRA, the Applicant anticipates making the DIP Contribution utilizing the Housing Creation Option.

Should the Applicant's obligation with regard to the DIP Contribution for all of the buildings included in this plan be satisfied solely in the form of a Housing Contribution Grant, total payments from the Applicant would equal approximately \$7,275,000.

2. As required under Section 26B-3 of the Boston Zoning Code, the Applicant will also be responsible for making a Jobs Contribution Grant with regard to the Project. The Jobs Contribution Grant shall be payable at the times, in the manner and under the conditions specified in the DIP Agreement. It is anticipated that the total Jobs Contribution Grant for all of the Buildings will equal approximately \$1,455,000.

G. Affordable Housing Contributions

Under Section 41-14(1) of Article 41, the Applicant has agreed to provide an affordable housing grant to the Neighborhood Housing Trust or other designee of the BRA of approximately \$1,116,000 based on current rates of assistance provided for affordable housing projects.

H. Child Care Facilities

In accordance With Table C of Section 41-17(2), the Applicant must provide 12,000 sq.ft. of child care facilities either (i) on-site, or (ii) off-site in the vicinity of the project either in the zoning district, South End or Back Bay. The Applicant proposes to provide the facilities for and oversee the operation of two child care centers on-site in space totalling 14,800 sq.ft.

I. Transportation Improvements

The Applicant has volunteered to make grants totaling \$1,000,000 to reimburse the Boston Transportation Department for the costs of planning studies, projects and actions taken to mitigate off site impacts of the development.

J. Other Neighborhood and City Wide Initiatives

In recognition of the impacts which the development will have on adjacent neighborhoods and the City of Boston, the Applicant will make available voluntary contributions totaling \$1,384,000 for projects intended to maintain the vitality of the impacted neighborhoods and improve the quality of life in the city.

The projected impacts of the Project have been comprehensively studied through the Article 31 Development Review Process. With the advice of PruPAC and other concerned parties, mitigation has been designed for this Project to minimize any adverse impact in the transportation network, environmental quality, the urban design context, historic structure, and infrastructure systems. The development review process has generated sufficient data, in light of the mitigation proposed by the Applicant, to determine that the standard articulated in Section 3-1A, Section 41-13, and the Manning case is met.

For the reasons set forth in this Resolution No. 8 and elsewhere herein, the BRA hereby finds that the Project and the proposed PDA/DIP Plan are not injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens.

9. CONCLUSION

WHEREAS, the BRA gave due and proper notice of a public hearing held in the City Council Chambers on November 30, 1989, to consider the PDA/DIP Plan and to determine the manner in which Sections 3-1A, 26A-3, 41-13, 41-14 and 41-16 should be applied to the PDA/DIP Plan. The public hearing was duly convened and held in all respects in accordance with law, and to the extent required by law, with a legal quorum present throughout the meeting. The matter was held open for public comment until January 5, 1990 and at a meeting held by the BRA in its Board Room on January 18, 1990, a legally sufficient number of members of the BRA voted in a proper manner and all other requirements and proceedings under law incident to the proper adoption or the passage of said vote were duly fulfilled, carried out and otherwise observed. At the public hearing on November 30, 1989 and during the designated public comment period the BRA heard extensive testimony from a number of witnesses and closed the public hearing and the public record on this Application on January 18, 1990.

Based on all this evidence, the BRA finds and concludes that the Project design has been developed through an extraordinary public review process in which both the Applicant and PruPAC have exerted exceptional efforts to produce the best

achievable project; that the urban design elements of the Project reflect the needs of the Huntington Avenue/Prudential Center District, while respecting the public goals and guidelines established for development in Boston; that the Project will form an important link between the Back Bay, South End, Fenway, and St. Botolph neighborhoods; that the Project will aid the City financially by generating jobs, and by providing Boston with a new source of real estate tax revenues and linkage funds; and that the Project will provide numerous other benefits to the neighborhood, the City and community at large.

Based on all the evidence, the BRA further finds and concludes that the Project's PDA/DIP Plan satisfies the PDA Criteria and otherwise complies with Sections 3-1A, 26A-3, 26B-3, 41-13, 41-14 and 41-16 of the Code.

Based on all the evidence, the BRA further finds and concludes that the Project's PDA/DIP Plan conforms to the Huntington Avenue/Prudential Center District Plan and the general plan for the City as a whole.

Based on all the evidence, the BRA has weighed this Project's public benefits against the burdens of this Project and further finds and concludes that nothing in the Project's PDA/DIP Plan is injurious to the neighborhood or otherwise detrimental to the public welfare.

10. RESOLVES

NOW THEREFORE be it resolved by the Authority

That in connection with the Development Plan/Development Impact Project Plan for Planned Development Area No. 37 (the "PDA/DIP Plan"), presented at a public hearing duly held at the office of the Boston Redevelopment Authority (the "Authority") on Thursday, November 30, 1989, and after consideration of (a) evidence presented at, and in connection with, the hearing, and in connection with the proposed project described in the PDA/DIP Plan, (b) matters discussed in memoranda dated November 30, 1989 and January 18, 1990 from Pamela Wessling, Victor Karen, Thomas Maistros, and Scott Fowler to the Authority and Stephen Coyle, and (c) the findings of the Authority set forth above, which evidence, memorandum and findings are incorporated herein by reference, the Authority finds that (1) the PDA/DIP Plan conforms to the Huntington Avenue/Prudential Center District Plan and the general plan for the city as a whole; (2) nothing in the PDA/DIP Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare; (3) the PDA/DIP Plan is in substantial accord with the provisions of Sections

41-13, 41-14, and 41-16 and proposed Article 41 of the Boston Zoning Code which was submitted to the Authority and the City on December 14, 1989 in accordance with a Notice of hearing published in the Boston Herald on December 1, 1989 and on which the Authority is taking action concurrent herewith ("Article 41"); (4) the proposed project described in the PDA/DIP Plan is in substantial accord with the building height and FAR standards set forth in Section 41-12 of Article 41; (5) on balance, nothing in the PDA/DIP Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens including those factors set forth in Sections 41-14 and 41-16 of Article 41; and (6) the PDA/DIP Plan does adequately and sufficiently satisfy all other criteria and specifications for a planned development area subdistrict designation and for a development impact project, as set forth in the Boston Zoning Code, as amended and as affected by Article 41 (the "Code"); and further

That the form and substance of the PDA/DIP Plan, and the procedures employed in reviewing and approving the PDA/DIP Plan, conform with the requirements of the Code as applied to a development plan for a planned development area under Sections 3-1A, 41-11 and 41-13 of the Code and a development impact project plan under Section 26A-3 of the Code; and further

That the Authority hereby waives any procedural requirements of the Authority's "Zoning Procedures for the Master Plan/ PDA" dated March 19, 1986 with which the application submitted by the Applicant, for a planned development area subdistrict designation for the parcel of land which is the subject of the PDA/DIP Plan and for approval of the PDA/DIP Plan, is not in conformity; and further

That pursuant to the provisions of Sections 3-1A, 26A-3, 41-11 and 41-13 of the Code, the Authority hereby approves the PDA/DIP Plan. The PDA/DIP Plan is embodied in a written document entitled "Development Plan and Development Impact Project Plan for Planned Development Area No. 37", dated January 18, 1990 consisting of 23 pages of text plus attachments designated Exhibits A through F, and is attached hereto as Exhibit A. The PDA/DIP Plan shall be on file in the office of the Secretary of the Authority; and further

That the Authority hereby authorizes the Director of the Authority to petition the Zoning Commission of the City of Boston (the "Commission") for a planned development area overlay designation for the parcel of land which is the

subject of the PDA/DIP Plan, and to recommend to the Commission, subject to final enactment of Article 41, that it approve such petition and the PDA/DIP Plan pursuant to Sections 3-1A, 41-11 and 41-13 of the Code; and further

That the Authority hereby approves the proposed forms of Development Impact Project Agreement and Cooperation Agreement (the "Related Agreements") in substantially the forms attached hereto as Exhibits B and C, respectively, and the Authority hereby authorizes the Director of the Authority to execute and deliver in the name of and on behalf of the Authority the Related Agreements, with such changes as he, in his discretion, shall determine to be necessary or desirable, his execution and delivery of any of the foregoing or the taking of any such action to be conclusive evidence of his determination and of the authority granted to him hereunder. The Related Agreements shall be on file in the office of the Authority; and further

That the Authority hereby authorizes the Director of the Authority to execute and deliver in the name of and on behalf of the Authority all other agreements and documents incidental to the PDA/DIP Plan, such agreements and documents to include such terms and conditions as the Director deems appropriate and in the best interests of the Authority, execution and delivery of such agreements or documents or the taking of any such action to be conclusive evidence of his determination and of the authority granted to him hereunder. Such other agreements and documents shall be on file in the office of the Authority; and further

That the Authority hereby authorizes the Director to certify in the name of the Authority, at such time as he determines that the plans to be submitted to the Commissioner of the City of Boston Inspectional Service Department in connection with the PDA/DIP Plan are consistent with the approved PDA/DIP Plan, that such plans are thus consistent, his certification of such to be conclusive evidence of his determination and of the authority granted to him hereunder; and further

That the Authority hereby authorizes the Director to certify in the name of the Authority, at such time as he determines that the Project complies with the Development Review Requirements of the Code and the Authority, that the Project thus complies, his certification of such to be conclusive evidence of his determination and of the authority granted to him hereunder provided that final design review of the Project shall not be granted prior to the execution of a Transportation Access Plan Agreement with the Boston Transportation Department, and a Boston Residents Construction Employment Plan, a Memorandum of

Understanding, a First Source Agreement, and other necessary agreements with the Mayor's Office of Jobs and Community Services.

That the Authority hereby authorizes the Director to make favorable recommendations to the Board of Appeal in connection with any zoning relief which may be required from the Board of Appeal to allow the development of the Project.

XP-5326/p
CR.004

MEMORANDUM

JANUARY 18, 1990

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: PAMELA WESSLING, ASSISTANT DIRECTOR FOR
URBAN DESIGN AND DEVELOPMENT
VICTOR KAREN, DEPUTY DIRECTOR OF HARBOR PLANNING
AND DEVELOPMENT
THOMAS MAISTROS, PROJECT MANAGER
SCOTT FOWLER, PLANNING ASSISTANT

SUBJECT: THE PRUDENTIAL CENTER REDEVELOPMENT PROJECT:
DEVELOPMENT PLAN APPROVAL AND RELATED MATTERS

EXECUTIVE
SUMMARY:

This memorandum requests that, in the matter of the application by the Prudential Insurance Company of America for Planned Development Area approval in connection with its Prudential Center Redevelopment, an approximately 1.8 million square foot mixed-use project, the Boston Redevelopment Authority (1) adopt the attached findings and resolutions approving the Development Plan, (2) authorize the Director to petition the Zoning Commission for the designation of a Planned Development Area for the project site, (3) authorize the Director to execute an Adequacy Determination for the Final Project Impact Report upon the Director's determination that the FPIR fully satisfies the requirements of Article 31, and (4) authorize the Director to cause the term of the Memorandum of Understanding establishing the Prudential Project Advisory Committee to be extended through the completion of the project.

The Prudential Insurance Company of America ("Prudential") filed an application on November 27, 1989 seeking approval of a Development Impact Project Plan and Planned Development Area ("PDA") Development Plan for the Prudential Center Redevelopment, a proposed mixed-use development located in the Back Bay (the "Project"). This memorandum requests that the Boston Redevelopment Authority:

- (1) Adopt the attached findings and resolutions approving the Development Plan;

- (2) Authorize the Director to petition the Zoning Commission for the designation of a Planned Development Area for the project site;
- (3) Authorize the Director to execute an Adequacy Determination for the Final Project Impact Report ("FPIR") upon the Director's determination that the FPIR fully satisfies the requirements of Article 31; and
- (4) Authorize the Director to cause the term of the Memorandum of Understanding, dated October 31, 1988, establishing the Prudential Project Advisory Committee ("PruPAC"), to be extended through the completion of the project.

DEVELOPMENT PLAN APPROVAL AND RECOMMENDATION TO ZONING COMMISSION

Planned Development Area/Development Impact Project Requirements

Prudential has requested several actions from the BRA Board necessary for the project to proceed. Because the developer is seeking a PDA zoning designation for the site, a development plan is required to be submitted to and approved by the BRA Board and the BRA must make a recommendation to the Zoning Commission regarding the PDA designation. In addition, Articles 26, 26A and 26B of the Boston Zoning Code require that the BRA approve a Development Impact Project Plan providing essentially the same information as the Development Plan. These two documents, the Development Plan and the Development Impact Project Plan, are combined into a single document and attached in Tab 5.

The Planned Development Area Proposal

The proposed redevelopment project involves the construction of approximately 1.8 million square feet including two new office buildings, new and redeveloped retail space, 282 residential units, two on-site childcare centers, and reconfigured below-grade parking to create 800 additional spaces. The heights of these new buildings range from 120 feet for the Boylston residential buildings to 465 feet to the parapet of the new Huntington Avenue office tower.

The redevelopment of the site will proceed in five phases, generally from the south side of the site to the north side, in order to minimize the disruption to existing activities on the site. Throughout the process the center will continue to function and key pedestrian flows will be maintained. The phasing plan is designed to ensure that important services, such

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as the supermarket currently located on Boylston Street, are maintained until replacement facilities are in place.

- o Phase 1 includes the new Huntington Avenue office building/south retail complex of approximately 966,000 gross square feet, and is estimated to start construction in 1990 and to be completed in 1993.
- o Phase 2 includes the 53,000 square foot neighborhood shopping area (including supermarket) which is scheduled to begin construction in 1990 and to be completed in 1992.
- o Phase 3 includes the 179,000 square foot Belvidere housing and west retail component which is scheduled to begin construction in 1992 and to be completed in 1994.
- o Phase 4 includes the Boylston Street offices, north retail, and West Boylston Street housing component. Phase IV will be approximately 415,000 gross square feet and is estimated to start construction in 1992 and to be completed in 1995.
- o Phase 5 includes the 214,000 gross square feet East Boylston Street housing/retail component which is scheduled to begin construction in 1995 and to be completed in 1997.

As the Project is proposed as a Planned Development Area, Prudential must show, and the BRA must find prior to approval, that nothing in the Development Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens. A comprehensive schedule of public benefits and mitigation measures is described herein in the proposed Development Plan and in a proposed Cooperation Agreement governing the Project, attached in Tab 7.

Site Description

The area proposed to be a Planned Development Area is 1,080,211 square feet, or approximately 24.8 acres, and is generally bounded by Boylston Street on the north, Exeter Street on the east, Huntington Avenue on the south, and Belvidere Street and Dalton Street on the west, excluding properties owned by the Massachusetts Convention Center Authority and the Lenox Hotel. The area is further described in the Development Plan. Permanent easements have been granted across the site to the Massachusetts Turnpike Authority and to the Boston Albany Railroad (succeeded by Conrail).

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Open Spaces and Pedestrian Circulation

The Prudential Center will be redeveloped on the concept of creating a block and street pattern with structured open spaces that is similar to the adjacent neighborhoods. The existing underutilized spaces such as South Ring Road and North Ring Road will be eliminated, allowing the Huntington Avenue and Boylston Street streetscapes to be strengthened. Major urban arcades will be created to provide accessible and active pedestrian routes through the site, connecting Back Bay to St. Botolph Street and Copley Place to the Hynes Convention Center.

Public Benefits

With a total development cost of approximately three hundred eighty million dollars (\$380,000,000), the Prudential Center redevelopment proposal represents a significant investment in new office and residential space in Boston. The redevelopment will provide substantial benefits citywide and to adjacent communities.

The proposed redevelopment project is anticipated to generate approximately \$9.3 million in annual new tax revenues, \$8.73 million in housing and jobs linkage funds as provided in a Development Impact Project Agreement ("DIP Agreement") attached in Tab 6, new daycare space, improvements to area MBTA stations, and other public benefits for neighborhood residents. Also, additional revenue will be generated for the State in the form of state sales taxes.

In addition to the statutory payments, Prudential has agreed to grant funds to support community projects. PruPAC has identified projects to be funded by grants from Prudential and has requested \$1.384 million to cover these needs. Funds will be made available in installments with grants to be disbursed to PruPAC grantees and as advised by committee. The mechanism used to disburse the community benefits monies is described in Exhibit C of the Cooperation Agreement and a list of the grants proposed by PruPAC is included as Exhibit D of the Cooperation Agreement.

Affordable Housing Program

Permanent zoning for the Huntington Avenue/Prudential Center district has been drafted, and the BRA held a public hearing on the zoning on December 14, 1989. The proposed zoning addresses the need for affordable housing. Prudential would be required under Section 41-14(1) of the zoning for the Huntington Avenue/Prudential Center District to either (1) ensure that at

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least ten percent of the dwelling units proposed in the Development Plan are affordable, or (2) make grants to enable the construction of, or construct or cause the construction of housing units off-site equivalent to twenty percent of the number of market rate housing units constructed on the site.

Prudential therefore will provide an affordable housing grant of \$1.116 million to the Neighborhood Housing Trust or such other entity as may be designated by the BRA. PruPAC, Prudential and the BRA are working to establish the timing of these payments.

Employment Benefits

The employment benefits that the Prudential Center redevelopment proposal brings to Boston are extensive. Approximately 2,200 construction jobs will be generated by the project. The developer has agreed to comply with the City's hiring policies and will codify this through the execution of a Residents Construction Employment Plan Agreement with the Mayor's Office of Jobs and Community Services ("OJCS"), as stated in the Cooperation Agreement.

Prudential Center redevelopment also brings benefits in the form of permanent jobs. When completed, the project will add space for approximately 5,600 permanent jobs. The developer has agreed to comply with the City's hiring policies and will codify this through the execution of a First Source Agreement with OJCS, as stated in the Cooperation Agreement.

In addition, the center will provide two child care facilities to serve employees and local residents. The two centers will total approximately 14,800 sq. ft. in size.

Transportation Impacts

The developer will provide \$1,000,000 to the Boston Transportation Department for the costs of planning studies, projects and actions taken to mitigate off site transportation impacts of the development. The mitigation plan includes a comprehensive program of transportation improvements to benefit the Back Bay area and surrounding neighborhoods. Measures include a series of capital improvements along Massachusetts Avenue, Huntington Avenue, and Belvidere Street to improve traffic flows. These funds will also be used to provide traffic enforcement officers at key Back Bay intersections. Other transportation benefits to be provided include improved pedestrian crossings on Huntington Avenue, Boylston Street, East Ring Road and Belvidere Street. Construction of the project will

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result in improved access to the Prudential Green Line transit station. In addition, overnight parking will be provided in the Prudential Center garages at reduced rates for residents of adjacent neighborhoods.

DEVELOPMENT REVIEW REQUIREMENTS

On June 28, 1988, Prudential submitted a Project Notification Form to the Boston Redevelopment Authority and an Environmental Notification Form to MEPA. On September 1, 1988, the Boston Redevelopment Authority issued a Scoping Determination for the project.

On April 12, 1989, Prudential submitted to the Boston Redevelopment Authority a Draft Project Impact Report/Draft Environmental Impact Report ("DPIR/DEIR") describing the impacts of the proposed project. On that same day, the proponent submitted the DPIR/DEIR to MEPA.

On August 30, 1989, the Boston Redevelopment Authority staff completed its review of the DPIR and issued a Preliminary Adequacy Determination.

On November 13, 1989 the Proponent submitted a Final Project and Environmental Impact Report ("FPIR/FEIR") to the BRA and MEPA. On January 2, 1990, MEPA issued a Certificate on the FEIR.

The BRA staff has reviewed the FPIR and solicited comments from other city agencies, PruPAC, abutters, and other interested parties. The BRA staff requests that the BRA Board authorize the Director to issue the Adequacy Determination on his determination that the FPIR fully meets the requirements set forth in Article 31.

PRUDENTIAL PROJECT ADVISORY COMMITTEE

In 1986, the Mayor established the Prudential Project Advisory Committee (PruPAC) to advise the City in the review of the Project.

On May 3, 1988, PruPAC formally adopted a set of guidelines (the "PruPAC Guidelines") as a statement of the criteria that PruPAC intended to use in evaluating the Project. On October 31, 1988, the PruPAC and the BRA entered into a Memorandum of Understanding formalizing the advisory role of the PruPAC to the BRA. The Memorandum of Understanding includes the following clause:

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"WHEREAS, the Authority accepts the Guidelines as the standard against which the Project and its potential impacts shall be evaluated."

The Memorandum of Understanding allows PruPAC to notify the Authority in writing if a staff recommendation to the Board regarding the project does not conform to the PruPAC Guidelines. Further, it contains a procedure for reconciling any conflicting positions between PruPAC and the BRA staff prior to formal presentation of a staff recommendation regarding the Project to the Board.

Information presented in the Development Plan, the FPIR for the Project, and other relevant materials in connection with the Project reviewed by staff indicates that the Project conforms to the PruPAC Guidelines.

One of the PruPAC Guidelines, regarding traffic, requires special mention. It states: "The development must not increase the volume of traffic on residential streets." The Boston Transportation Department ("BTD") carried out extensive computer modelling of traffic flows in connection with the Project. The results of this modelling are described in a letter from Commissioner Richard Dimino of the BTD to Frederick Casselman of the Neighborhood Association of the Back Bay. The letter is attached hereto as Exhibit A.

In that letter, Commissioner Dimino states his conclusion that the PruPAC Guidelines with regard to transportation impacts on the residential area of the Back Bay are adequately met by, among other things, enforcement activities by the City to increase parking turnover and traffic capacity on major corridors such as Massachusetts Avenue, Boylston, Newbury, Stuart, and St. James Streets. The BTD has, in fact, already implemented such an enforcement program in the Back Bay. Some reduction in enforcement activities by the City could ultimately occur without affecting traffic flows, because of changed driver behaviors as a result of intensive ticketing. However, a significant level of continued enforcement activity or other mitigation with similar effect on traffic flow is necessary to assure adequate traffic flow over major corridors and, therefore, to assure no increase in traffic on residential streets, as provided in the above-quoted PruPAC Guideline.

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On January 2, 1990, the PruPAC voted unanimously to adopt the following resolution:

That PruPAC supports approval of the four items on the BRA Board Agenda for January 18, 1990 (Huntington Avenue/Prudential Center Permanent Zoning, Prudential Planned Development Area, Prudential Cooperation Agreement, and Prudential Center Chapter 121A Separation and Termination) substantially in the form presented at the PruPAC meeting on January 2, 1990 with the assumption that outstanding issues will be negotiated in good faith.

Input from and dedication of the PruPAC has been invaluable in improving the project to reflect community concerns. PruPAC review resulted in substantial improvements to the proposal, including the location of specific uses, height and massing of buildings, quality and design of public spaces, environmental mitigation measures, and public benefits.

In order to ensure continued community review, the BRA staff recommends that PruPAC continue to advise the BRA regarding Project review and requests appropriate BRA Board action extending the terms of the Memorandum of Understanding between PruPAC and the BRA.

CONCLUSION

The three year review process of weekly meetings among PruPAC, the Prudential, the BRA, the Boston Transportation Department, the Mayor's Office of Neighborhood Services and other interested community representatives has resulted in a reduction of the building program from approximately 3 million square feet to 1.8 million square feet of new space. The PDA proposal is the result of this review which was carried out in conjunction with the Article 31 review process. The process has enabled the community to review and advise on the development proposal, and the result has been a project that is sensitive to the interests of the surrounding neighborhoods.

On November 30, 1989, a public hearing was held regarding the proposed Development Plan and Planned Development Area. After said hearing, the BRA voted to take the matter under advisement and allow the submission of written comments, to be incorporated into the public record, until January 5, 1990 at 5:00 P.M.

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Several letters were submitted to the BRA by the close of the public comment period. These letters are attached in Tab 12 of the Board package. The letters raised specific issues of concern which were either already addressed in the FPIR, or in the review of the FPIR.

The appended documents incorporate extensive review by the PruPAC, City agencies, the general public, and the BRA and represent the evolution of the Prudential Center redevelopment project over a number of years.

Accordingly, the BRA staff recommends: that the Boston Redevelopment Authority Board (1) adopt attached findings and resolutions approving the Development Plan, (2) authorize the Director to petition the Zoning Commission for the designation of a Planned Development Area for the project site, (3) authorize the Director to execute an Adequacy Determination for the Final Project Impact Report upon the Director's determination that the FPIR fully satisfies the requirements of Article 31, and (4) cause the term of the Memorandum of Understanding dated October 31, 1988 establishing the Prudential Project Advisory Committee, to be extended through the completion of the project.

Appropriate votes follow:

VOTED That the Boston Redevelopment Authority hereby adopts the resolutions entitled "Resolutions of the Boston Redevelopment Authority Regarding the Prudential Center Redevelopment Project Development Plan and Development Impact Project Plan" and dated January 18, 1990, consisting of 17 pages, and the BRA specifically adopts the findings incorporated therein, and specifically adopts the Resolves that are set forth in the last 4 pages of said resolution; and further

VOTED That the Director be and hereby is authorized to issue an Adequacy Determination for the Final Project Impact Report ("FPIR") submitted by the applicant on November 13, 1989 upon final completion of the review of the FPIR and the Director's determination that the FPIR fully satisfies the requirements of Article 31; and further

January 18, 1990

VOTED That the Director be and hereby is authorized to cause the term of the Memorandum of Understanding, dated October 31, 1988, between the Prudential Project Advisory Committee and the Boston Redevelopment Authority be extended through the completion of the project.

ATTACHMENTS:

Exhibit A:	BTD letter to N.A.B.B.
Tab 5:	Development Plan and Development Impact Project Plan
Tab 6:	Development Impact Project Agreement
Tab 7:	Cooperation Agreement

January 12, 1990

Mr. Frederick Casselman, Chairman
Neighborhood Association of the Back Bay
214 Beacon Street
Boston, MA 02116

Dear Mr. Casselman:

The purpose of this letter is to outline the status of various actions to address current and future transportation issues in the Back Bay, as they relate to the Prudential Development project and the Back Bay Transportation Strategies project.

As you know, the BTB has completed its review of the Prudential FPIR and determined that the PRUPAC guidelines pertaining to transportation impacts in the residential area of the Back Bay are adequately met by the proposed set of mitigation measures. These measures include:

- o Demand reduction strategies by the developer and the tenants of the development to increase the transit use and vehicle occupancy rates.
- o An enforcement program in the Back Bay to increase parking turnover and traffic capacity on major corridors such as Mass Ave., Boylston, Newbury, Stuart and St. James.
- o Traffic circulation and operational improvements, such as:
1) the establishment of a Traffic Relief Program on Mass Ave. corridor to provide two travel lanes in each direction with left turn lanes at appropriate intersections; 2) a one-way St. Botolph from Albemarle to Mass Ave. and truck restrictions in the St. Botolph neighborhood; and, 3) intersection design improvements at Belvidere and Dalton.
- o Provisions for traffic control officers at key intersections to control traffic and reduce the likelihood of gridlock.

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In addition, we have already experienced a significant reduction in double parking, with associated traffic flow improvement along streets such as Boylston and Newbury through the enforcement program that has been recently implemented in the Back Bay.

The City's efforts to address the Back Bay neighborhood concerns about traffic extends well beyond our work that is related to the review of the Prudential Development project. For example, the recommendations from the Back Bay Strategies project will include a wide array of strategies to address current and future transportation issues in the Back Bay. These areas include improvements to directional signage and circulation changes in the area, as well as measures to improve pedestrian mobility, transit service, parking management, the management of special events and the overall management of transportation resources in the area.

One circulation change package option which appears feasible at this time is the potential addition of a westbound off-ramp from Storrow Drive to Massachusetts Avenue southbound. This option will have significant benefits of reducing traffic volumes in the residential areas. In addition, we are developing a comprehensive package of signage improvements. The objective of this program is to direct motorists to major arterials (such as Massachusetts Avenue, Boylston Street, and the Bowker Overpass) for access to or egress from the Back Bay.

Recently, we also completed computer modeling for a package presented by your organization, which includes the following three elements:

- 1) The closing of the Clarendon Street eastbound off-ramp from Storrow Drive; and
- 2) The closing of the Berkeley Street eastbound on-ramp to Storrow Drive.
- 3) The prohibition of left turns from Boylston Street to Dartmouth Street in the P.M. peak.

The preliminary computer modeling indicates that there would be some traffic reduction in the residential areas. At this time, no apparent shift of traffic to other streets in residential areas within the project area has been identified. We will evaluate this option with the Working Committee that was established for the Back Bay Transportation Strategies project.

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In addition, we will investigate the feasibility of the other suggestions you made to improve traffic circulation in the Back Bay. The suggestions are:

- 1) Install a traffic signal at the intersection of Marlborough and Hereford Street.
- 2) Install a street direction sign on Boylston Street facing Dalton Street for left and right turn movements.

As you know, to provide an objective test of the effectiveness of the sign at Boylston and Dalton, this action should be taken after the Mass Ave. project is implemented.

Public review and, in some cases (such as proposals that affect State highways), State approval will be needed to implement proposals outlined in the Back Bay Transportation Strategies project. This approach was successful in our past efforts with the MDC to close the Dartmouth Street exit from Storrow Drive to address safety issues and to redesign Charles Circle to improve traffic flow. We are committed to implement or support those projects that are feasible and are supported by the community.

Your cooperation is greatly appreciated. The BTB will continue to work with you to finalize the Back Bay Strategies project in the near future. This project is expected to be completed by the spring of this year. I am sure that we can reach a mutually acceptable solution to these matters.

Sincerely,

Richard A. Dimino
Commissioner

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